

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| UNITED STATES OF AMERICA, ex rel., and FLFMC, LLC |) | No. 10-cv-00229 (AJS) |
| Plaintiffs, |) | |
| v. |) | Hon. Arthur J. Schwab |
| ACE HARDWARE CORPORATION NEWELL OPERATING COMPANY, and NEWELL RUBBERMAID, INC. |) | DOCUMENT FILED ELECTRONICALLY |
| Defendant. |) | |

JOINT STIPULATION TO DISMISS WITH PREJUDICE

Plaintiff-Relator FLFMC, LLC and Defendants Ace Hardware Corporation, Newell Operating Company, and Newell Rubbermaid, Inc. stipulate pursuant to Fed. R. Civ. P. 41(a)(1)(ii) that this action be dismissed with prejudice, each side to bear its own costs and attorneys' fees.

Respectfully submitted,

/s/ Tony J. Thompson

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Dated: September 30, 2010

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Dated: September 30, 2010